



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

AUG 18 2008

Coleen Sullins, Director  
Division of Water Quality  
North Carolina Department of Environment  
and Natural Resources  
1617 Mail Service Center  
Raleigh, North Carolina 27699-1617

Dear Ms. Sullins:

The U. S. Environmental Protection Agency (EPA) received the revisions to *15A NCAC 2B Surface Water and Wetlands Standards, Section .0300 Assignment of Stream Classification* which were submitted to EPA for review by letter, dated March 19, 2008, and received on March 21, 2008. This letter is in reference to the segments reclassified in the Little Tennessee River Basin (*15A NCAC 2B .0303 - Little Tennessee River Basin and Savannah River Drainage Area*).

The public hearing for this revision was held on June 5, 2006, with an effective date of January 1, 2007. This reclassification was certified by the North Carolina Attorney General by letter, dated March 13, 2008, as duly adopted pursuant to State law. In accordance with 40 CFR Section 131.21(c), new and revised State and Tribal water quality standards are not effective for Clean Water Act (CWA) purposes until approved by EPA.

The use designations for 144 segments on the North Shore of Fontana Lake in the Little Tennessee River Basin were revised to include the Outstanding Resource Water (ORW) supplemental classification ("unique and special surface waters of the state...of exceptional state or national recreational or ecological significance...and exceptional water quality", *15A NCAC 2B .0225*). The segments will retain their existing primary and supplemental classifications which include Class B, Class C, Trout (Tr), Water Supply (WS) and WS Critical Area (CA). A list of the reclassified waterbodies is enclosed.

In 2005, the North Carolina General Assembly passed Session Law 2005-0097 (House Bill 1189) stating that, "The Environmental Management Commission shall initiate a rule-making procedure...to adopt rules to reclassify the entire watersheds of all creeks that drain to the north shore of Fontana Lake between Eagle and Forney Creeks, including Eagle and Forney Creeks, as outstanding resource waters pursuant to G.S. 143-214.1." This revision is in response to meeting the directive of Session Law 2005-0097.

Under North Carolina's water quality standards, ORWs are a special subset of High Quality Waters. North Carolina's Antidegradation Policy states that the existing uses and the water quality to protect such uses shall be protected by properly classifying surface waters and having standards to protect these uses (*15A NCAC 02B .0201(b)*). This policy, which incorporates EPA's antidegradation regulations by reference, states that the quality of waters determined to be ORW "...shall be maintained such that existing uses, including the outstanding resource values of said Outstanding Resource Waters, shall be maintained and protected." The

requirements specified in *15A NCAC 02B .0225 Outstanding Resource Waters*, as well as additional referenced requirements (*15A NCAC 04B .0124 Design Standards in Sensitive Watersheds*, *15A NCAC 02H .1007 Stormwater Requirements: ORWs*, and *15A NCAC 02N .0301 Performance Standards for New USTs*) will now apply to the enclosed list of waters draining to the North Shore of Fontana Lake in Swain County.

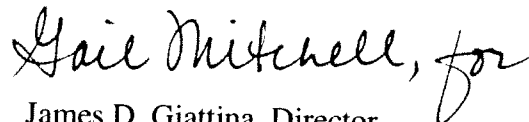
In addition, the North Carolina Department of Water Quality (DWQ) adopted special conditions for the protection of this particularly pristine area from potential damage due to excavation of acid-producing rock formations (*15A NCAC 02B .0225 (e)(12)*). These special requirements provide additional and necessary land-based protection for these significant ecological aquatic resources and meet the intent of North Carolina's Antidegradation Policy.

EPA has determined that the revisions are consistent with the federal water quality standards regulations at 40 CFR Part 131 and the CWA. In accordance with Section 303(c) of the CWA and 40 CFR Part 131, EPA is approving these revisions. In accordance with 40 CFR 131.21(c), the revised State water body classifications are now considered effective for CWA purposes.

EPA commends the Classification and Standards Unit (CSU) and the Biological Assessment Unit (BAU) of DWQ for outstanding scientific work on this project. The BAU conducted detailed multi-metric assessments in these pristine waters, including the collection and identification of numerous rare benthic macroinvertebrates. The Unit's expertise was a tremendous asset in fully identifying the ecological significance of these waters and further justifying the ORW designation. The CSU staff did an outstanding job of developing scientifically sound site-specific conditions which will be vital in ensuring the protection of these waters.

Should you have questions, please feel free to contact me at (404) 562-9470, or have your staff contact Lisa Perras Gordon at (404) 562-9317.

Sincerely,

A handwritten signature in cursive script that reads "Gail Mitchell, for".

James D. Giattina, Director  
Water Management Division

Enclosures (1)

**Enclosure 1: Use Classification Modification**

PROPOSED AMENDMENT TO THE LITTLE TENNESSEE RIVER BASIN AND SAVANNAH RIVER DRAINAGE AREA SCHEDULE OF  
CLASSIFICATIONS AS REFERENCED IN TITLE 15A NORTH CAROLINA ADMINISTRATIVE CODE 2B .0303

Name of Stream	Description	Existing Class	Description of Proposed Segment	Proposed Class
Gray Wolf Creek	From source to Tuckasegee River Arm of Fontana Lake, Little Tennessee River	B	same	B ORW
Fomey Creek	From source to Tuckasegee River Arm of Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
Keeyuga Creek (Cherry Branch)	From source to Fomey Creek	C Tr	same	C Tr ORW
Steeltrap Creek	From source to Fomey Creek	C Tr	same	C Tr ORW
Little Steeltrap Creek	From source to Fomey Creek	C Tr	same	C Tr ORW
Buckhorn Branch	From source to Fomey Creek	C Tr	same	C Tr ORW
Christian Branch	From source to Fomey Creek	C Tr	same	C Tr ORW
Huggins Creek	From source to Fomey Creek	C Tr	same	C Tr ORW
Little Huggins Creek	From source to Huggins Creek	C Tr	same	C Tr ORW
Chokeberry Branch	From source to Fomey Creek	C Tr	same	C Tr ORW
Board Camp Creek	From source to Fomey Creek	C Tr	same	C Tr ORW
Noyah Branch	From source to Board Camp Creek	C Tr	same	C Tr ORW
Jonas Creek	From source to Fomey Creek	C Tr	same	C Tr ORW
Little Jonas Creek	From source to Jonas Creek	C Tr	same	C Tr ORW
Yanu (Bearpen) Branch	From source to Little Jonas Creek	C Tr	same	C Tr ORW
Scarlet Ridge Creek	From source to Jonas Creek	C Tr	same	C Tr ORW
White Mans Glory Creek	From source to Fomey Creek	C Tr	same	C Tr ORW
Locust Cove	From source to Fomey Creek	C Tr	same	C Tr ORW
Slab Camp Branch	From source to Fomey Creek	C Tr	same	C Tr ORW
Bee Gum Branch	From source to Fomey Creek	C Tr	same	C Tr ORW
Advalorem Branch (Avakrem Branch)	From source to Fomey Creek	C Tr	same	C Tr ORW
Whiteoak Branch	From source to Fomey Creek	C Tr	same	C Tr ORW
Welch Branch	From source to Fomey Creek	C Tr	same	C Tr ORW
Bear Creek	From source to Fomey Creek	C Tr	same	C Tr ORW
Glady Branch	From source to Tuckasegee River Arm of Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
Little Laurel Branch	From source to Tuckasegee River Arm of Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
Jenny Branch	From source to Tuckasegee River Arm of Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
Polecat Branch	From source to Tuckasegee River Arm of Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
Gunter Branch	From source to Tuckasegee River Arm of Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
Monteith Branch	From source to Tuckasegee River Arm of Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
Poundmill Branch	From source to Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
Pole Bridge Branch	From source to Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
Welch Branch	From source to Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
Halfmile Branch	From source to Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW

Name of Stream	Description	Existing Class	Description of Proposed Segment	Proposed Class
Hogpen Branch	From source to Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
Poplar Pole Branch	From source to Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
Buckeye Branch	From source to Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
Chambers Creek	From source to Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
North Fork Chambers Creek	From source to Chambers Creek	C Tr	same	C Tr ORW
Hogpen Branch	From source to North Fork Chambers Creek	C Tr	same	C Tr ORW
Springhouse Branch	From source to North Fork Chambers Creek	C Tr	same	C Tr ORW
Cherry Branch	From source to North Fork Chambers Creek	C Tr	same	C Tr ORW
Big Branch	From source to North Fork Chambers Creek	C Tr	same	C Tr ORW
West Fork Chambers Creek	From source to Chambers Creek	C Tr	same	C Tr ORW
Kate Branch	From source to West Fork Chambers Creek	C Tr	same	C Tr ORW
Chambers Branch	From source to West Fork Chambers Creek	C Tr	same	C Tr ORW
Anthony Branch	From source to Chambers Creek	C Tr	same	C Tr ORW
Kirkland Branch	From source to Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
Bluff Branch	From source to Fontana Lake, Little Tennessee River	B	same	B ORW
Pilkey Creek	From source to Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
Clark Branch	From source to Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
Chesquaw Branch	From source to Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
Calhoun Branch	From source to Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
Mill Branch	From source to Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
Whiteside Creek	From source to Fontana Lake, Little Tennessee River	C Tr	same	C Tr ORW
Hazel Creek Arm of Fontana Lake, Little Tennessee River, below elevation 1708 MSL	Entire Arm	WS-IV Tr CA	same	WS-IV Tr ORW CA
Hazel Creek	From source to a point 0.7 mile upstream of mouth	C Tr	same	C Tr ORW
Anthony Branch	From source to Hazel Creek	C Tr	same	C Tr ORW
Slick Rock Branch	From source to Hazel Creek	C Tr	same	C Tr ORW
Rough Arm Branch	From source to Hazel Creek	C Tr	same	C Tr ORW
Proctor Creek	From source to Hazel Creek	C Tr	same	C Tr ORW
James Camp Branch	From source to Proctor Creek	C Tr	same	C Tr ORW
Holden Cove Branch	From source to Proctor Creek	C Tr	same	C Tr ORW
Boomer Branch	From source to Proctor Creek	C Tr	same	C Tr ORW
Long Cove Branch	From source to Proctor Creek	C Tr	same	C Tr ORW
Elbow Branch	From source to Hazel Creek	C Tr	same	C Tr ORW
Walkers Creek	From source to Hazel Creek	C Tr	same	C Tr ORW
Sally Sam Branch	From source to Walkers Creek	C Tr	same	C Tr ORW
Brushy Branch	From source to Walkers Creek	C Tr	same	C Tr ORW
Hawk Ridge Branch	From source to Hazel Creek	C Tr	same	C Tr ORW
Huggins Branch	From source to Hazel Creek	C Tr	same	C Tr ORW
Little Huggins Branch	From source to Hazel Creek	C Tr	same	C Tr ORW
Bee Gum Branch	From source to Hazel Creek	C Tr	same	C Tr ORW
Sawbrier Branch	From source to Hazel Creek	C Tr	same	C Tr ORW

Name of Stream	Description	Existing Class	Description of Proposed Segment	Proposed Class
Wildcat Branch	From source to Hazel Creek	C Tr	same	C Tr ORW
Cold Spring Branch	From source to Hazel Creek	C Tr	same	C Tr ORW
Right Fork Cold Spring Branch	From source to Cold Spring Branch	C Tr	same	C Tr ORW
Bone Valley Creek	From source to Hazel Creek	C Tr	same	C Tr ORW
Roaring Creek	From source to Bone Valley Creek	C Tr	same	C Tr ORW
Mineral Gap Branch	From source to Roaring Creek	C Tr	same	C Tr ORW
Rock Camp Branch	From source to Roaring Creek	C Tr	same	C Tr ORW
Desolation Branch	From source to Bone Valley Creek	C Tr	same	C Tr ORW
Calhoun Branch	From source to Desolation Branch	C Tr	same	C Tr ORW
Defeat Branch	From source to Bone Valley Creek	C Tr	same	C Tr ORW
Woolly (Woody) Ridge Branch	From source to Bone Valley Creek	C Tr	same	C Tr ORW
Nunda Branch	From source to Woolly (Woody) Ridge Branch	C Tr	same	C Tr ORW
Big Flats Branch	From source to Bone Valley Creek	C Tr	same	C Tr ORW
Mill Branch	From source to Bone Valley Creek	C Tr	same	C Tr ORW
White Walnut Branch	From source to Bone Valley Creek	C Tr	same	C Tr ORW
Old House Branch	From source to Bone Valley Creek	C Tr	same	C Tr ORW
Sugar Fork Creek	From source to Hazel Creek	C Tr	same	C Tr ORW
Little Fork	From source to Sugar Fork Creek	C Tr	same	C Tr ORW
Haw Gap Branch	From source to Sugar Fork Creek	C Tr	same	C Tr ORW
Cope Branch	From source to Haw Gap Branch	C Tr	same	C Tr ORW
Sandy Gap Branch	From source to Hazel Creek	C Tr	same	C Tr ORW
Pine Gap Branch	From source to Hazel Creek	C Tr	same	C Tr ORW
Rowan Branch	From source to Hazel Creek	C Tr	same	C Tr ORW
Hazel Creek	From a point 0.7 mile upstream of mouth to Hazel Creek Arm of Fontana Lake, Little Tennessee River	WS-IV Tr CA	same	WS-IV Tr ORW CA
Shehan Branch (Possum Hollow Creek)	From source to Bearpen Branch	WS-IV Tr	same	WS-IV Tr ORW
Shehan Branch (Possum Hollow Creek)	From Bearpen Branch to Hazel Creek Arm of Fontana Lake, Little Tennessee River	WS-IV Tr CA	same	WS-IV Tr ORW CA
Bearpen Branch	From source to Shehan Branch	WS-IV Tr	same	WS-IV Tr ORW
Hickory Bottom Branch	From source to a point 0.4 mile upstream of mouth	WS-IV Tr	same	WS-IV Tr ORW
Hickory Bottom Branch	From a point 0.4 mile upstream of mouth to Shehan Branch	WS-IV Tr CA	same	WS-IV Tr ORW CA
Laurel Branch	From source to Hazel Creek Arm of Fontana Lake, Little Tennessee River	WS-IV Tr CA	same	WS-IV Tr ORW CA
Cable Branch	From source to Hazel Creek Arm of Fontana Lake, Little Tennessee River	WS-IV Tr CA	same	WS-IV Tr ORW CA
Matt Branch	From source to Hazel Creek Arm of Fontana Lake, Little Tennessee River	WS-IV Tr CA	same	WS-IV Tr ORW CA
Slick Branch	From source to Fontana Lake, Little Tennessee River	WS-IV Tr CA	same	WS-IV Tr ORW CA
Johnny Branch	From source to Fontana Lake, Little Tennessee River	WS-IV&B CA	same	WS-IV&B ORW CA
Myers Branch	From source to Fontana Lake, Little Tennessee River	WS-IV Tr CA	same	WS-IV Tr ORW CA
Eagle Creek Arm of Fontana Lake, Little Tennessee River, below elevation 1708 MSL	Entire Arm	WS-IV Tr CA	same	WS-IV Tr ORW CA
Eagle Creek	From source to a point 0.7 mile upstream of mouth of Camp Ten Branch	C Tr	same	C Tr ORW
Gunna Creek	From source to Eagle Creek	C Tr	same	C Tr ORW
Spence Cabin Branch	From source to Gunna Creek	C Tr	same	C Tr ORW
Paw Paw Creek	From source to Gunna Creek	C Tr	same	C Tr ORW
Tub Mill Creek	From source to Eagle Creek	C Tr	same	C Tr ORW
Ivy Branch	From source to Tub Mill Creek	C Tr	same	C Tr ORW

Name of Stream	Description	Existing Class	Description of Proposed Segment	Proposed Class
Burnt Ridge Branch	From source to Tub Mill Creek	C Tr	same	C Tr ORW
Panther Branch	From source to Tub Mill Creek	C Tr	same	C Tr ORW
Asgini Branch	From source to Tub Mill Creek	C Tr	same	C Tr ORW
Lawson Gant Lot Branch	From source to Tub Mill Creek	C Tr	same	C Tr ORW
Eagle Creek	From a point 0.7 mile upstream of mouth of Camp Ten Branch to Pinnacle Creek	WS-IV Tr	same	WS-IV Tr ORW
Camp Ten Branch	From source to a point 0.4 mile upstream of mouth	C Tr	same	C Tr ORW
Camp Ten Branch	From a point 0.4 mile upstream of mouth to Eagle Creek	WS-IV Tr	same	WS-IV Tr ORW
Ekaneetlee Creek	From source to Eagle Creek	WS-IV Tr	same	WS-IV Tr ORW
Big Tommy Branch	From source to Ekaneetlee Creek	WS-IV Tr	same	WS-IV Tr ORW
Thomas Cove Branch	From source to Big Tommy Branch	WS-IV Tr	same	WS-IV Tr ORW
Little Tommy Branch	From source to Ekaneetlee Creek	WS-IV Tr	same	WS-IV Tr ORW
Proctor Sang Branch	From source to Ekaneetlee Creek	WS-IV Tr	same	WS-IV Tr ORW
Hurricane Branch	From source to Ekaneetlee Creek	WS-IV Tr	same	WS-IV Tr ORW
Shelter Branch	From source to Ekaneetlee Creek	WS-IV Tr	same	WS-IV Tr ORW
Boulder Branch	From source to Ekaneetlee Creek	WS-IV Tr	same	WS-IV Tr ORW
Round Mountain Branch	From source to Ekaneetlee Creek	WS-IV Tr	same	WS-IV Tr ORW
Pinnacle Creek	From source to a point 1.0 mile upstream of Lone Branch	C Tr	same	C Tr ORW
Pinnacle Creek	From a point 1.0 mile upstream of Lone Branch to Eagle Creek	WS-IV Tr	same	WS-IV Tr ORW
Lone Branch	From source to Pinnacle Creek	WS-IV Tr	same	WS-IV Tr ORW
Soapstone Branch	From source to Pinnacle Creek	WS-IV Tr	same	WS-IV Tr ORW
Eagle Creek	From Pinnacle Creek to Eagle Creek Arm of Fontana Lake, Little Tennessee River	WS-IV Tr CA	same	WS-IV Tr ORW CA
Lost Cove Creek	From source to a point 0.4 mile downstream of mouth of Coldspring Branch	WS-IV Tr	same	WS-IV Tr ORW
Coldspring Branch	From source to Lost Cove Creek	WS-IV Tr	same	WS-IV Tr ORW
Lost Cove Creek	From a point 0.4 mile downstream of mouth of Coldspring Branch to Eagle Creek Arm of Little Tennessee River	WS-IV Tr CA	same	WS-IV Tr ORW CA
Ecoah Branch	From source to Eagle Creek Arm of Fontana Lake, Little Tennessee River	WS-IV Tr CA	same	WS-IV Tr ORW CA
Birchfield Branch	From source to Eagle Creek Arm of Fontana Lake, Little Tennessee River	WS-IV Tr CA	same	WS-IV Tr ORW CA
Augerhole Branch	From source to Eagle Creek Arm of Fontana Lake, Little Tennessee River	WS-IV Tr CA	same	WS-IV Tr ORW CA
Licklog Branch	From source to Eagle Creek Arm of Fontana Lake, Little Tennessee River	WS-IV Tr CA	same	WS-IV Tr ORW CA